

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SAM A. TOCCO,

Plaintiff,

CIVIL ACTION NO. 08-CV-12328-DT

vs.

DISTRICT JUDGE GERALD E. ROSEN

**AURORA LOAN SERVS.,
LLC, et al.,**

MAGISTRATE JUDGE MONA K. MAJZOUB

Defendants.

ORDER DENYING PLAINTIFF'S MOTION FOR DISCOVERY

This matter comes before the Court on Plaintiff's Motion for Discovery filed on July 16, 2008. (Docket no. 7). Defendants have not responded. All pre-trial matters have been referred to the undersigned for decision. (Docket no. 5). The Court dispenses with oral argument pursuant to E.D. Mich. 7.1(e). This motion is now ready for ruling.

Plaintiff requests that the Court respond to his discovery motion by providing him with copies of orders, of a list of federal questions, of "the sections of the Constitution which adversely affected the Defendant," and of certain other documentation. (Docket no. 7 at 3). This motion is frivolous. Discovery motions are properly served on the opposing party and not on the Court. If Plaintiff intended to request these documents from Defendants, Plaintiff fails to show that he has properly served a discovery request on Defendants under the Federal Rules. Only after a proper discovery request has been served on Defendants may Plaintiff seek to compel the production of documents. Accordingly, Plaintiff's Motion for Discovery will be denied.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Discovery (docket no. 7) is **DENIED.**

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: August 18, 2008

s/ Mona K. Majzoub

MONA K. MAJZOUB

UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Order was served upon Sam Tocco and Counsel of Record on this date.

Dated: August 18, 2008

s/ Lisa C. Bartlett

Courtroom Deputy